

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 09/420,157 Filed/Issued Date: October 18, 1999Entitled: ARTICLES COMPRISING ALIGNED NANOWIRES AND PROCESS FOR FABRICATING ARTICLESAgere Systems Inc., corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A Chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From Inventor(s) To: Lucent Technologies Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 010331, Frame 0428, or for which a copy thereof is attached.
2. From Lucent Technologies Inc. To: Agere Systems Guardian Corp.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From Agere Systems Guardian Corp. To: Agere Systems Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

March 25, 2004

Date

Gary D. Yacura

Typed or printed name


SignatureAttorney of Record

Title

CERTIFICATE OF OWNERSHIP AND MERGER

OF

**Agere Systems Guardian Corp.
(a Delaware corporation)**

INTO

**Agere Systems Inc.
(a Delaware corporation)**

**UNDER SECTION 253 OF THE GENERAL
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), **DOES HEREBY CERTIFY:**

FIRST: The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

SECOND: On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

RESOLVED that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

THIRD: That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

AGERE SYSTEMS INC.

By Paul Bento
Paul Bento, Vice President

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION,
WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3268412 8100M

AUTHENTICATION: 1959517

020545223

DATE: 08-29-02

EXECUTION COPY

PATENT ASSIGNMENT

by and between

LUCENT TECHNOLOGIES INC.

and

AGERE SYSTEMS GUARDIAN CORP.

Dated as of January 30, 2001

PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).

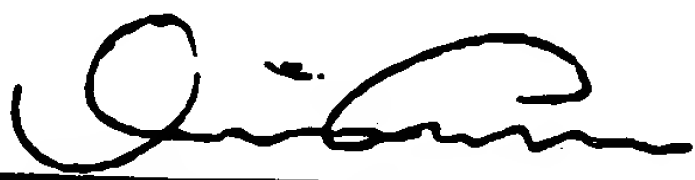
ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

LUCENT TECHNOLOGIES INC.

By: 
Daniel P. McCurdy
President, Intellectual Property Business

AGERE SYSTEMS GUARDIAN CORP.

By: 
Fred M. Romano
President

ACKNOWLEDGMENTS

STATE OF NEW JERSEY)

: ss:

COUNTY OF SOMERSET)

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:
a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and
b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



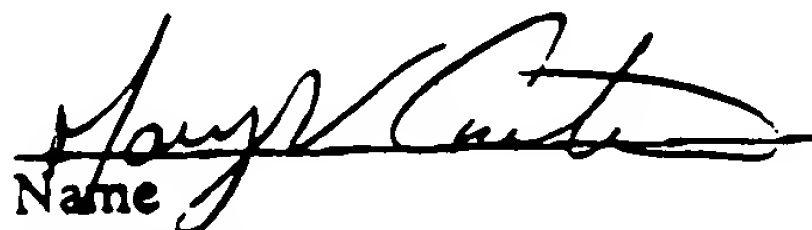
Name TAMORA ANNE HANNA
Notary Public Notary Public of New Jersey
My Commission Expires Registered in Hunterdon County
[Notarial Seal] My Commission Expires March 25, 2002

STATE OF FLORIDA)

: ss:

COUNTY OF ORANGE)

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:
a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp. ; and
b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name
Notary Public
My Commission Expires:
[Notarial Seal]



APPENDIX B (continued)
Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
Fadavi-Ardekani 17-5-5-5-1	6/9/1998		09/093859	
Fadavi-Ardekani 18-6	6/23/1998		09/102777	
Fadavi-Ardekani 20-7	6/17/1998		09/098503	
Fadavi-Ardekani 22-3-6-12-4	11/10/1998			09/188904
Fadavi-Ardekani 23-21-6	12/22/1999			09/469907
Fadavi-Ardekani 24-13-1	1/7/2000			09/479611
Fadavi-Ardekani 25-14-2	2/24/2000			09/512511
Fadavi-Ardekani 6-13	5/14/1996		08/647491	
Fadavi-Ardekani 7-2-2	5/17/1996	5/23/2000	6067317	
Fajardo 1-4-2-3	8/14/1998		09/134182	
Fang 2-10-4-4	9/13/1999			09/394978
Fang 4-12-2-6	9/13/1999			09/395085
Farag 1	5/30/1997		08/866585	
Farrokh 1-1-9-2	12/18/1997		08/993465	
Farrokh 2-3-11	8/5/1997		08/906537	
Farrow 31-29-3-7-2	7/14/1998		09/114948	
Farrow 36-2-30-4-3-1	7/14/1998		09/114949	
Farrow 37-8-2	6/17/1999			09/335277
Farrow 38	2/11/2000			09/502138
Farrow 6-52-2-2	8/31/2000		09/652688	
Fee 2	12/23/1999			09/470861
Fee 3	12/23/1999			09/472326
Feldmann 5-2-4	11/20/1997		08/975250	
Feldmann 6-4	7/31/1997	3/21/2000	6041170	
Feldmann 7-4-4	9/23/1997	6/6/2000	6072947	
Feldmann 8-5	3/9/1998		09/036846	
Felker 2-9-4	3/15/1999			09/270487
Fenstermaker 3-13-15-5-3	10/8/1998			09/168409
Fernandez Perez 1-1-1-1-1	12/14/1998			09/211481
Fernando 4-2	6/17/1998		09/099192	
Fernando 6-16	10/10/1998			09/169674
Fernando 7-3-8	2/5/1999			09/244863
Fernando 8-3	2/18/1999			09/252500
Fetter 10-56-6	10/30/2000			
Fetter 8-3	12/17/1999			09/465633
Fetter 9-4	2/4/2000			09/497982
Fetterman 2	2/19/1998		09/025956	
Fetterman 4-3-13	9/29/1999			09/408770
Fetterman 5-11	8/24/2000		09/645003	
Feygenson 17-20-18-14-23-35	2/23/2000			09/511343
Filas 22-176-48-44	10/18/1999			09/420157
Filas 24-1-25	4/19/2000			09/552627
Fischer 10-18	11/19/1997		08/974492	
Fischer 11-5	2/23/1998		09/027912	
Fischer 12	3/30/1999			09/280473
Fischer 13-3	11/9/1998			09/188195
Fischer 14-6-5	11/9/1998			09/188194
Fischer 15-5-26-3-6	1/19/1999			09/232221
Fischer 16	10/9/1998			09/169848
Fischer 16-28-9	5/11/1999			09/310021
Fischer 17-1	8/3/1999			09/366615
Fischer 17-8	8/27/1998		09/140564	
Fischer 18-5-9	6/3/1999			09/327157
Fischer 19-29-10-14	8/20/1999			09/378771
Fischer 19-7-10	9/29/1999			09/409309
Fischer 20	9/29/1999			09/407413
Fischer 20-1	7/22/1999			09/358558
Fischer 21-12-33-14-2	11/18/1999			09/442544
Fischer 22-13-34-15-3	9/29/1999			09/407444